

## BOARD OF SELECTMEN – APRIL 2, 2012

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### **I. Executive Session**

Chairman Major called the Executive Session to order at 6:03 P.M. in the Board of Selectman's Conference Room in the Town Offices. On a motion by Selectman Lyman and seconded by Selectman Salafia, seconded, the Board voted 5-0 to enter into Executive Session to discuss collective bargaining strategy and to return to Public Session. Roll call: Chairman Major-Y, Selectman Lyman-Y, Selectman Salafia-Y, Selectman Vispoli-Y, and Selectman Kowalski-Y. At 7:21 P.M. on a motion duly made and seconded, it was voted 5-0 to adjourn from Executive Session and move to Regular Session and not to return to Executive Session. Roll call: Chairman Major-Y, Selectman Lyman-Y, Selectman Vispoli-Y, Selectman Salafia-Y, and Selectman Kowalski-Y.

### **II. Call to Order/Roll Call**

Chairman Brian Major called the Regular meeting to order at 7:00 P.M. in the Selectmen's Conference Room at the Town Offices. Present: Roll Call – Chairman Major – Y and Selectmen Alex Vispoli – Y, Paul Salafia – Y, Mary Lyman – Y and Dan Kowalski – Y. Also present: Town Manager Reginald Stapczynski and Town Clerk Larry Murphy. The meeting was duly posted and cable-cast live.

### **III. Opening Ceremonies**

#### **A. Moment of Silence/Pledge of Allegiance**

Chairman Major asked for a Moment of Silence followed by the Pledge of Allegiance.

### **IV. Citizens Petitions & Presentations**

#### **A. Congresswoman Niki Tsongas and Congressman John Tierney – Capitol Hill Update**

Chairman Major introduced and welcomed Congresswoman Niki Tsongas and Congressman John Tierney to the meeting and said it was an honor to have them.

Congressman Tierney remarked that having represented Wilmington he knows the background of the I-93 Interchange Project, hopes to represent Andover/Tewksbury in the future and looks forward to helping bring this project to the Committee. Congresswoman Tsongas stated the Regional Economic Development Program impacts three communities with a much broader impact further down the road. Andover has two members of Congress pursuing this project who are aware of the issues and have addressed them with Transportation Secretary Ray LaHood. The Environmental Impact Study will be completed next year, the next step is to address the funding of the \$180M and make sure it becomes part of the Federal budget. Disagreements over the size of the budget are holding up the Transportation Bill. They are working to get the appropriate size budget to address needs and add jobs.

Selectman Vispoli thanked both Congresswoman Tsongas and Congressman Tierney for coming to the meeting. He also recognized June Black and Brian Martin for their efforts in orchestrating the meeting with Transportation Secretary Ray LaHood to provide a vital opportunity to demonstrate that the towns are ready to go on this important opportunity.

Lowell Junction Interchange Task Force Chairman Chris Huntress asked what the three towns can do to advocate to keep the project moving forward, if the project can be phased

in if full-funding does not become available and whether they have a sense of time perspective for the project.

Congresswoman Tsongas commended the three communities and said the challenge is to keep the funding of the project front and center.

Selectman Salafia said the three communities came together and were very productive because of the economic value the project will bring. Would the Federal Government give priority for a project that affects economic development? Congresswoman Tsongas responded that even as big as the scope of this project is, it is competing with other projects across the country. They have to stay focused and wait for the EIS to be concluded. They will continue to work with the three communities.

Congresswoman Tsongas said Brian Martin held a conference call with MASS DOT regarding the public process, they meet quarterly to discuss the status so there are no gaps, spoke about the Tiger Grant that prioritizes economic transportation development and is optimistic these programs will continue to recognize the priority of the projects.

The Town Manager asked Congresswoman Tsongas about the status of Hanscom Air Force Base and its possible closure which would affect two of our largest taxpayers – Raytheon and Dynamic Research Systems. Congresswoman Tsongas said no language has been incorporated into the Defense Authorization Package to date. They will work together as a delegation to keep Hanscom Air Force Base open as it is uniquely positioned and, therefore, is very important to deal with future threats and security matters.

The Town Manager also asked if there are grants available to help communities with the combined sewer overflow problems. Congresswoman Tsongas said it is hard to determine that until the budget projects are in place, they will remain engaged and work very hard to represent their communities.

Chairman Major, on behalf of the Andover citizens and Board of Selectmen, thanked Congresswoman Tsongas and Congressman Tierney for their service in Washington and appreciated their coming to the Selectmen's meeting that evening.

**V. Communications/Announcements/Liaisons**

The Annual Town Elections were held last Tuesday. Town Clerk Larry Murphy congratulated Chairman Major on this sixth consecutive term and Selectman Kowalski's on his first term in office. The deadline to register to vote at the April 30<sup>th</sup> Town Meeting is April 10<sup>th</sup> and the Clerk's Office will be open until 8:00 P.M. that day to accommodate residents.

The Town Manager and League of Women Voters have organized the Youth in Town Government Day to be held on Tuesday, April 10<sup>th</sup> – twelve students will participate in this event. The League of Women Voters is holding their annual review of Town Meeting warrant articles at the Memorial Hall Library on April 11<sup>th</sup> at 7:00 PM.

The Town Manager is working with the Mass. Municipal Association on an exciting project with international guests from Pakistan who will be visiting in May. Andover will host two Pakistani municipal officials for nine days, introduce them to the Town and explain how our local government works.

Nominations for the Virginia Cole Community Service Award should be sent to the Town Manager's Office by April 6<sup>th</sup>.

The Master Plan, our blueprint for planning for the next ten years, is now available on the Town's website [www.andoverma.gov](http://www.andoverma.gov).

Selectman Lyman announced that the Senior Center is sending out invitations to celebrate and recognize their valued senior volunteers at a ceremony on Friday, April 27<sup>th</sup>.

Selectman Vispoli reported that the Economic Development Committee will meet on Thursday, April 4<sup>th</sup> at 8:00 A.M. in the Selectmen's conference room. Selectman Salafia said the EDC have the most energetic meetings and are a committed group.

Chairman Major and the Board take pride in announcing negotiated changes to the health care plan that will have a positive impact on the Town and its employees. The Board has authorized the Town Manager to sign the Memo of Understanding to implement the changes that also bring about \$1M in savings – some of which goes back to the employees.

## **VI. Regular Business of the Board**

### **A. Andover Little League and Andover Soccer Association Leases – Blanchard Street Ballfields**

The Town Manager noted that tonight is a wrap-up discussion on the Leases with the Andover Little League and Andover Soccer Association for their use of the Blanchard Street ballfields, a process which started several years ago. The First Reading of the Lease Agreements were completed at the Board's last meeting and tonight they will vote on signing the Agreements. Selectman Kowalski disclosed that he is a volunteer coach for the Andover Soccer Association. Selectman Vispoli said the overall Agreement and design meets the needs of the community and thanked everyone who participated in the endeavor.

Robert Slayton, 15 Stouffer Circle, appeared before the Board and said he is a direct abutter to the ballfields. He and others in his neighborhood have a problem with giving the ALL and ASA carte blanc use of the fields and keeping them lit until 9:45 P.M. By the time the game is over and the area is cleared it would be 10:15 P.M. He is asking for support from the Board to restrict the time of use on weeknights.

Laurie Barbanti, 14 Blanchard Street, said she had a conversation with the Town Manager in December about the sidewalks and was surprised to see they are not included along the border of the field – it is a very busy street and the sidewalks are a safety issue. Chris Huntress, the project's Landscape Architect, said they did include a sidewalk which goes all around the entrance to the site. Steve Lissauskas, 2 Blanchard Street, whose property directly abuts the driveway to the fields, was informed prior to purchasing his home that a park was going to be constructed on the property. He was denied the opportunity to speak to this article at last year's Town Meeting. He hopes and will continue to trust that the Board will take the residents comments seriously. Mr. Lissauskas would like to see a walking path placed along the rim of the field and the hours of operation scaled back. The RFP did not include the hours and he suggested they send the parties back to renegotiate the times. He also asked to be contacted about the trees

the Town is cutting down but received no response to his request. Neighbors feel this project has been pressed upon them and asked that they be given an opportunity to provide input and to be engaged in the process.

Mr. Huntress, owner of Huntress Associates who was hired to prepare all of the drawings for the project, said the project has been in process for 3-4 years, they have made presentations at two Town Meetings, held several neighborhood meetings, went through a public hearing process and there have been several newspaper articles on the ballfields. They met with neighbors last Thursday, walked the tree line with the Town Tree Warden and are saving quite a few of the trees. He said putting in walking paths along the perimeter of the fields was discussed but if they do that, it would have to be developed according to ADA regulations. Several residents continued to express their concerns about keeping the field lights on during the week until 9:45 P.M., reducing the hours of operation as many of the homes have young children under the age of 12 and maintaining their quality of life.

Don Borenstein, President of the Andover Soccer Association, said they need the fields and \$160,000 has been raised in support of this project. They have been to Town Meeting and it is a little late in the process to ask for further delays. The ASA will not be using lights.

Len Ferris, President of the Andover Little League, stated they have been working on this project for several years, have held several neighborhood meetings and made many changes to the park in the process. This will be a state-of-the art field for the 1,200 kids in the program. The lights are a safety factor and due to specific league rules, the playing schedule has to be completed in eight weeks in order to qualify. They do not regularly schedule double-headers and would only do that to make up games if they are behind schedule. Turning the lights off at 9:15 P.M. is a problem due to the starting times of the games.

Selectman Lyman motioned that the Board approve the field lights to be turned off at 9:15 P.M. The motion was not seconded.

Chairman Major stated the Town will continue to monitor what's happening in the community and with the fields and the process doesn't end. Selectman Kowalski asked if the lights could go off if not needed. It was explained that the lights are programmed and would not be on unless a game is scheduled. The ability for a manual override to shut down the lights when not needed was discussed.

Mr. Ferris said the lights have been part of the project from Day 1, \$1M was raised specifically for the lights and they do not want to have to come back to the Board in two years for approval. ALL will consider turning the lights off at 9:30 P.M. to give people time to get to their cars with the exception being the less than 20% of their 40 playing nights scheduled in April and June that may require lighting. In the Fall, they only play on weekends and most games run from 5:30 P.M. to 7:30 P.M. – 7:45 P.M.

Selectman Salafia motioned to approve the signing of the Leases with the Andover Little League and the Andover Soccer Association for their use of the Blanchard Street Ballfields with the revision that all lighting will be turned off by 9:30 P.M. The motion was seconded by Selectman Kowalski, and voted 5-0 to approve with lights off at 9:30 P.M.

B. Regulatory Agreement – 57 North Street

On a motion by Selectman Vispoli with a second by Selectman Salafia, the Board unanimously voted to authorize the Town Manager to sign the Regulatory Agreement on behalf of the Town for the Andover Community Trust single family dwelling at 57 North Street.

**VII. Consent Agenda**

A. Vehicle for Hire License

Selectman Salafia motioned to approve the request of Ramon E. Tapia, Andover Central Transportation Corp., d/b/a Andover Central Transportation, to change the business address on their current license from 89 South Main Street – Unit 9, Andover, to 89 North Main Street, Andover and to add 10 additional vehicles for a total of 30 licenses.

The request has been reviewed and approved by the Police Department's Safety Officer, Building/Zoning Divisions and the Town Clerk subject to the conditions that all other requirements of the Town are met prior to the issuance of the license and that no taxi or livery vehicle be housed in Andover. The motion was seconded by Selectman Lyman and voted 5-0 to approve.

**VIII. Consent Agenda**

B. Appointments and Re-appointments

Selectman Vispoli motioned to approve the following appointments as recommended by the Town Manager and as printed in the agenda. The motion was seconded by Selectman Lyman and voted 5-0 to approve.

DEPARTMENT	POSITION	RATE	EFF. DATE
<u>FIRE RESCUE</u>			
Robert W. Murphy	Firefighter (v. R. Dalton)	F764-1/\$51,995	4/2/12
<u>PLANT &amp; FACILITIES DEPARTMENT – Parks &amp; Grounds Division</u>			
Mark Rivet	Laborer – Temp./ Seasonal/PT (v. W. Connors)	\$14.00/hour	4/4/12

And that the following appointment by the Selectmen be approved:

SCHOLARSHIP COMMITTEE – Term expires 6/30/12  
Philip J. Giguere

**IX. Approval of Minutes from Previous Meetings**

On a motion by Selectman Lyman with a second by Selectman Salafia, it was voted 4-0-1 to approve the Regular Meeting Minutes of March 12, 2012, Joint Meeting Minutes of March 12, 2012, Tri-Board Meeting Minutes of March 14, 2012 and the March 19, 2012 Regular Meeting Minutes of the Board of Selectman as presented. Selectman Kowalski abstained from voting.

**X. Adjournment of Regular Meeting**

On a motion by Selectman Kowalski and seconded by Selectman Salafia, the Board

unanimously voted to adjourn the Regular Meeting of April 2, 2012 at 8:49 P.M.

Respectfully submitted,

Dee DeLorenzo  
Recorder

Documents: Regular Agreement and Declaration of Restrictive Covenants for 57 North Street